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Receipt

PATENT
2959-0104P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: WHITAKER et al. Conf.: 8300
Appl. No.: 09/955,037 Group: 1645
Filed: September 19, 2001 Examiner: UNASSIGNED
For: DETECTION OF UNLABELED DNA AND RNA USING
RESTRICTION ENZYME DIGESTION

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REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Assistant Commissioner for Patents
Washington, DC 20231

1 2 4 0 2

Sir:

Attached hereto is the Official Filing Receipt in connection
with the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

TITLE:

Please replace "DETECTION OF UNLABELED HYBRIDIZED DNA
AND RNA USING RESTRICTION ENZYME DIGESTION"

with --DETECTION OF UNLABELED DNA AND RNA USING
RESTRICTION ENZYME DIGESTION--

It is respectfully requested that the U.S. Patent and
Trademark Office forward/issue a new Filing Receipt with the
correction(s) indicated above. Support for the correction(s) is
readily apparent on the enclosed photocopy of the Declaration and
Power of Attorney.

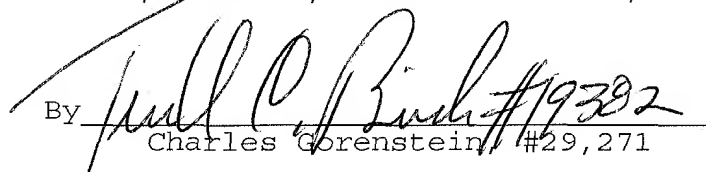
The correction(s) is/are due to error by the U.S. Patent and Trademark Office; therefore no fee is due.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #19392
Charles Gorenstein #29,271

CG/MAA/end

P.O. Box 747
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(703) 205-8000

Attachment

(Rev.03/19/01)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/955,037	09/19/2001	1645	355	2959-0104P	2	15	1

CONFIRMATION NO. 8300

2292

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

FILING RECEIPT



OC000000006927774

Date Mailed: 10/18/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Tom J. Whitaker, Residence Not Provided;
Wanda L. B. White, Residence Not Provided;
Kenneth F. Willey, Residence Not Provided;
Bruce K. Jacobson, Residence Not Provided;
Bruce M. Applegate, Residence Not Provided;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/233,486 09/19/2000

Foreign Applications

If Required, Foreign Filing License Granted 10/11/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Detection of unlabeled hybridized DNA and RNA using restriction enzyme digestion

Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09955037	09/19/01	Whitaker et al.	2959-0104P

BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. BOX 747, Falls Church,
VA 22040-0747RECEIVED
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Date Mailed: 01/30/02

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Publication and General Rules Issues

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- ☐ The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- ☐ The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- ☐ Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- ☒ An amendment or Application Data Sheet is needed to make this change.
- ☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- ☐ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

- ☐ Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).
- ☐ The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.
- ☐ The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.
- ☐ There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.
- ☐ Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.
- ☐ The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

R. BERNE

Customer Service Center
Office of Initial Patent Examination
(703) 308-1202

PLEASE NOTE:
YOU MUST
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FOLLOWING

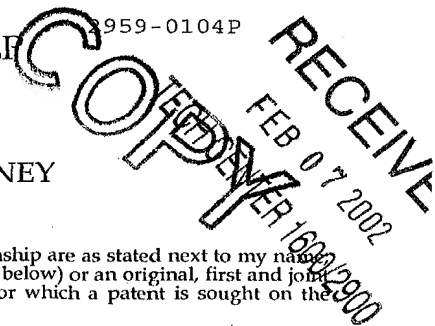


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Attorney Docket No.

959-0104P



COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

Detection of Unlabeled DNA and RNA Using Restriction Enzyme Digestion

Fill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on September 19, 2001 as

United States Application Number _____; and amended on _____ (if applicable) and/or

the specification was filed on _____ as PCT

International Application Number _____; and was

amended under PCT Article 19 on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Insert Priority
Information:
(if appropriate)

(Number) (Country) (Month/Day/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Month/Day/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Month/Day/Year Filed)

☐ Yes ☐ No

(Number) (Country) (Month/Day/Year Filed)

☐ Yes ☐ No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

60/233,486

September 29, 2000

Insert Provisional
Application(s):
(if any)

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country

Application Number

Date of Filing (Month/Day/Year)

Insert Requested
Information:
(if appropriate)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)

(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the practitioners at CUSTOMER NO. 2292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or **CUSTOMER NO. 2292**
P.O. Box 747 • Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

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YOU MUST
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↓

Full Name of First
or Sole Inventor:
Insert Name of
Inventor
Insert Date This
Document is Signed →

Insert Residence
Insert Citizenship →

Insert Post Office
Address →

Full Name of Second
Inventor, if any:
see above

Full Name of Third
Inventor, if any:
see above

Full Name of Fourth
Inventor, if any:
see above

Full Name of Fifth
Inventor, if any:
see above

Full Name of Sixth
Inventor, if any:
see above

GIVEN NAME/FAMILY NAME Tom J. Whitaker	INVENTOR'S SIGNATURE <i>Tom J. Whitaker</i>	DATE* 10-18-01
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GIVEN NAME/FAMILY NAME Wanda L. B. White	INVENTOR'S SIGNATURE <i>Wanda L. B. White</i>	DATE* 10-18-01
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GIVEN NAME/FAMILY NAME K. Bruce Jacobson	INVENTOR'S SIGNATURE <i>K. Bruce Jacobson</i>	DATE* 10/18/01
Residence (City, State & Country) Oak Ridge, Tennessee, United States of America		CITIZENSHIP USA
MAILING ADDRESS (Complete Street Address including City, State & Country) 940 West Outer Drive Oak Ridge, TN 37830, USA		
GIVEN NAME/FAMILY NAME Kenneth F. Willey	INVENTOR'S SIGNATURE <i>Kenneth F. Willey</i>	DATE* 10/15/2001
Residence (City, State & Country) Schwenksville, Pennsylvania, United States of America		CITIZENSHIP USA
MAILING ADDRESS (Complete Street Address including City, State & Country) 4775 Quail Circle Schwenksville, Pennsylvania 19473, USA		
GIVEN NAME/FAMILY NAME Bruce M. Applegate	INVENTOR'S SIGNATURE <i>Bruce M. Applegate</i>	DATE* 10/17/01
Residence (City, State & Country) West Lafayette, Indiana, United States of America		CITIZENSHIP USA
MAILING ADDRESS (Complete Street Address including City, State & Country) 703 Hayes Street West Lafayette, Indiana 47906, USA		
GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		

*DATE OF SIGNATURE